

**From:** Dan Berger  
**To:** Microsoft ATR  
**Date:** 1/23/02 11:46am  
**Subject:** Microsoft Settlement

After reading and careful consideration of the proposed Microsoft Settlement, I felt the need to stand up and be counted.

The proposed settlement has many fatal flaws, each of which alone would be enough to render it ineffective.

Dan Kegel has written a well considered analysis of many of these flaws, which can be found at <http://www.kegel.com/remedy/letter.html>

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Inter arma silent leges

"Experience should teach us to be most on our guard to protect liberty when the government's purposes are beneficent. Men born to freedom are naturally alert to repel invasion of their liberty by evil minded rulers. The greatest dangers to liberty lurk in insidious encroachment by men of zeal, well-meaning but without understanding."

Justice Louis Brandeis, dissenting, *Olmstead v US* (1928)

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